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PTO/SB/21 (04-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/734,308
Filing Date	December 12, 2003
First Named Inventor	Levine, Jon D.
Art Unit	1646
Examiner Name	Andres
Attorney Docket Number	018062-005710US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

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Remarks

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Firm or Individual name	Townsend and Townsend and Crew LLP Joel G. Ackerman	Reg. No. 24,307
Signature		
Date	October 8, 2004	

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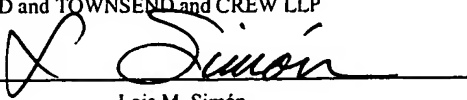
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PATENT
Attorney Docket No.: 018062-005710US
Client Reference No.: SF2003-041-2

On: **October 8, 2004**

TOWNSEND and TOWNSEND and CREW LLP

By: _____


Lois M. Simón

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jon D. Levine

Application No.: 10/734,308

Filed: December 12, 2003

For: TREATMENT OF PAIN WITH
COMBINATIONS OF NALBUPHINE
AND OTHER KAPPA-OPIOID
RECEPTOR AGONISTS AND OPIOID
RECEPTOR ANTAGONISTS

Examiner: Not Yet Assigned

Art Unit: 1614

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

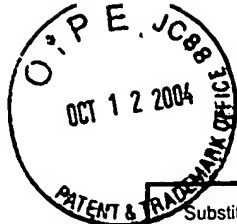
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However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Joel G. Ackerman
Reg. No. 24,307

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
JA:mtd
60327337 v1



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/734,308	
			Filing Date	December 12, 2003	
			First Named Inventor	Levine, Jon D.	
			Art Unit	1614	
Sheet	1	of	3	Examiner Name	Not Yet Assigned
				Attorney Docket Number	018062-005710US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US 4,366,159	12-28-1982	Magruder	
	AB	US 4,464,378	08-07-1984	Hussain, Anwar A.	
	AC	US 4,573,995	03-04-1986	Chen, et al.	
	AD	US 5,376,662	12-27-1994	Ockert, David M.	
	AE	US 5,472,943	12-05-1995	Crain, et al.	
	AF	US 5,512,578	04-30-1996	Crain, et al.	
	AG	US 5,580,876	12-03-1996	Crain, et al.	
	AH	US 5,750,534	05-12-1998	Yoa-Pu, et al.	
	AI	US 5,767,125	06-16-1998	Crain, et al.	
	AJ	US 5,817,665	10-06-1998	Dante, Lee G.	
	AK	US 5,840,731	11-24-1998	Mayer, et al.	
	AL	US Re. 36,547	02-01-2000	Crain et al.	
	AM	US 6,096,756	08-01-2000	Crain, et al.	
	AN	US 6,117,900	09-12-2000	Rundfeldt, et al.	
	AO	US 6,153,621	11-28-2000	Hamann, Scott R.	
	AP	US-2001/0047005	11-29-2001	Farrar	
	AQ	US 6,451,806 B2	09-17-2002	Farrar	
	AR	US 6,525,062 B2	02-25-2003	Levine	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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	AS	WO	01/93852	A2	12-13-2001			<input type="checkbox"/>

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60327337 v1

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			Application Number	10/734,308	
			Filing Date	December 12, 2003	
			First Named Inventor	Levine, Jon D.	
			Art Unit	1614	
			Examiner Name	Not Yet Assigned	
Sheet	2	of	3	Attorney Docket Number	018062-005710US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AT	BARSAN, William G. et al; "Duration of Antagonistic Effects of Nalmefene and Naloxone in Opiate-Induced Sedation for Emergency Department Procedures"; <u>Am. J. Emerg. Med.</u> ; 1989; pp. 155-161; Vol. 7.	
	AU	de CAZANOVE, et al. "Determination of Nalbuphine in Human Plasma by High-performance Liquid Chromatography with Electrochemical Detection Application to a Pharmacokinetic Study" <u>J. of Chromatography B</u> (1997) Vol. 690, pp. 203-210.	
	AV	DUBE, et al. "Determination of Nalbuphine by High-performance Liquid Chromatography with Electrochemical Detection: Application to Clinical Samples from Post-operative Patients" <u>J. of Chromatography</u> (1988) Vol. 427, pp. 113-120.	
	AW	DR. KEITH BUDD ROYAL INFIRMARY; "The Use of the Opiate Antagonist, Naloxone, in the Treatment of Intractable Pain"; <u>Neuropeptides</u> ; 1985; pp. 419-422; Vol. 5.	
	AX	FRANCE, Charles P. and James H. WOODS; "Morphine, Saline and Naltrexone Discrimination in Morphine-Treated Pigeons"; <u>The Journal of Pharmacology and Experimental Therapeutics</u> ; 1987; pp. 195-202; Vol. 242, No. 1.	
	AY	GEAR, et al. "The Kappa Opioid Nalbuphine Produces Gender- and Dose-dependent Analgesia and Antianalgesia in Patients with Postoperative Pain" <u>Pain</u> (1999) Vol. 83, pp. 339-345.	
	AZ	GEAR, et al. "Action of Naloxone on Gender-dependent Analgesic and Antianalgesic Effects of Nalbuphine in Humans" <u>J of Pain</u> (2000), Vol. 1(2), pp. 122-127.	
	BA	GERAK, L. R. and C. P. FRANCE; "Changes in Sensitivity to the Rate-Decreasing Effects of Opioids in Pigeons Treated Acutely or Chronically with Nalbuphine"; <u>Behavioural Pharmacology</u> ; 1996; pp. 437-447; Vol. 7.	
	BB	HUSSAIN, Munir A.; "Improvement of the Oral Bioavailability of Naltrexone in Dogs: A Prodrug Approach"; 1987, <u>Journal of Pharmaceutical Sciences</u> , Vo. 76, No. 5, pp. 356-358.	
	BC	HUSSAIN, Munir A.; "Naltrexone-3-salicylate (a Prodrug of Naltrexone): Synthesis and Pharmacokinetics in Dogs"; 1988, <u>Pharmaceutical Research</u> , Vol. 5, No. 2, pp. 113-115.	
	BD	HUSSAIN, Munir A.; "Improved Buccal Delivery of Opioid Analgesics and Antagonists with Bitterless Prodrugs"; 1988, <u>Pharmaceutical Research</u> , Vol. 5, No. 9, pp. 615-618.	
	BE	HO, et al. "Determination of Nalbuphine by High-performance liquid Chromatography with Ultraviolet Detection: Application to Human and Rabbit Pharmacokinetic Studies" <u>J. of Chromatography B</u> (1996) Vol. 678, pp. 289-269.	
	BF	KONIECZKO, K. M. et al.; "Antagonism of Morphine-Induced Respiratory Depression with Nalmefene"; <u>Br. J. Anaesth.</u> 1988; pp. 318-323; Vol. 61.	
	BG	LEE, Jaemin et al.; "Epidural Naloxone Reduces Intestinal Hypomotility but not Analgesia of Epidural Morphine"; <u>Can. J. Anesth.</u> ; 2001; pp. 54-58; Vol. 48, No. 1.	
	BH	LEHMANN, Klaus A.; "Opioids: Overview on Action, Interaction and Toxicity"; <u>Supportive Care in Cancer</u> ; 1997; pp. 439-444; Vol. 5.	
	BI	LEVINE, et al. "Potentiation of Pentazocine Analgesia by Low-dose Naloxone" <u>J. Clin. Invest.</u> (November 1998) Vol. 82, pp. 1574-1577.	

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Sheet	3	of	3	Attorney Docket Number	018062-005710US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BJ	LO, et al. "The Disposition and Bioavailability of Intravenous and Oral Nalbuphine in Healthy Volunteers" <u>J. Clin. Pharmacol.</u> (1987) Vol. 27, pp. 866-873.	
	BK	NICOLLE, et al. "Rapid and Sensitive High-performance Liquid Chromatographic Assay for Nalbuphine in Plasma" <u>J. of Chromatography B</u> (1995) Vol. 663, pp. 111-117.	
	BL	NOËL-HOCQUET, Sophie et al.; "Erythrocytes as Carriers of New Anti-Opioid Prodrugs: In Vitro Studies"; <u>The Use of Resealed Erythrocytes as Carriers and Bioreactors</u> ; 1992; pp. 215-221; Plenum Press, New York.	
	BM	PAO, et al. "High-performance Liquid Chromatographic Method for the Simultaneous Determination of Nalbuphine and its Prodrug, Sebacyl Dinalbuphine Ester, in Dog Plasma and Application to Pharmacokinetic Studies in Dogs" <u>J. of Chromatography B</u> (2000) Vol. 746, pp. 241-247.	
	BN	Regents of the University of California, "Finding Could Lead to Morphine Alternative" Daybreak http://www.uscf.edu/today/ (2000).	
	BO	RUST, Lyman A. et al.; "Intrathecal Narcotics for Obstetric Analgesia in a Community Hospital"; <u>American Journal of Obstetrics and Gynecology</u> ; June 1994; pp. 1643-1648; Vol. 6.	
	BP	SUNG, et al. "Delivery of Nalbuphine and its Prodrugs Across Skin by Passive Diffusion and Iontophoresis" <u>J. of Controlled Release</u> (2000) Vol. 67, pp. 1-8.	
	BQ	The Merch Index, 12th Edition, S. Budavari, ed., 1091-1093.	
	BR	WETZELSBERGER, et al. "Internally Standardized Method for the Determination of Nalbuphine in Human Plasma by Means of High Performance Liquid Chromatography with Electrochemical Coulometric Detection" <u>Arzneim-Forsch/Drug Res.</u> (1988) Vol. 38(11), pp. 1768-1771.	

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